

MEMO ENDORSED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 11/22/2023

MEGAN E. FAY,

Plaintiff,

Case No.: 7:23-cv-08455-NSR

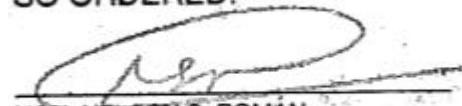
v.

MARY BARBERA,
THEODORE BROVARSKI, and
COUNTY OF ROCKLAND,

Defendants.

Defs.' motion to dismiss is DENIED without prejudice to renew following compliance with this Court's Individual Rule 3.A.ii. The Clerk of Court is respectfully directed to terminate the motion at ECF No. 15.

Dated: November 22, 2023 SO ORDERED:
White Plains, NY


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

**DEFENDANTS' NOTICE OF MOTION TO DISMISS
PURSUANT TO FED. R. CIV. P. 12(b)(6) AND
MOTION TO STAY DISCOVERY PURSUANT TO FED. R. CIV. P. 26(c)**

Defendants, by and through their attorneys, Lippes Mathias LLP, hereby move this Court for an Order dismissing the Causes of Action and Prayer for Relief, with prejudice, pursuant to Federal Rule of Civil Procedure 12(b)(6) and staying discovery pending the resolution of Defendants' motion to dismiss pursuant to Federal Rule of Civil Procedure 26(c). This Motion is based upon the accompanying Declaration of Amy Habib Rittling, Esq. and Memorandum of Law. Please be advised that Defendants intend to file a Reply to any Response submitted by Plaintiff.

WHEREFORE, Defendants respectfully request that this Court grant their Motion and dismiss the aforementioned Causes of Action with prejudice, and stay discovery pending the resolution of Defendants' motion to dismiss, together with any other and further relief this Court deems necessary and proper.

Dated: November 21, 2023

Respectfully submitted,

LIPPES MATHIAS LLP

/s Amy Habib. Rittling _____

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